

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL 863,

Plaintiff,

v.

GROCERY HAULERS, INC.,
Defendant

Civil Action No.: 11-1582 (CCC) (JAD)

ORDER

BRIAN QUEEN, ET AL.

Plaintiffs,

v.

GROCERY HAULERS, INC.,
Defendant.

Civil Action No.: 11-6592 (CCC) (JAD)

ORDER

This matter comes before the Court on the motion of Defendant Grocery Haulers, Inc. to dismiss as duplicative the Complaint filed in Brian Queen, et al. v. Grocery Haulers, Inc., Civil Action No, 11-6592 (the “Queen Action”), which was consolidated for discovery purposes with International Brotherhood of Teamsters, Local 863 v. Grocery Haulers, Inc., Civil Action No. 11-1582 (the “Local 863 Action”). On June 14, 2012, Magistrate Judge Joseph A. Dickson issued a Report and Recommendation that the Defendants’ motion to dismiss be denied without prejudice, that the Queen Action be stayed pending the outcome of the Local 863 Action, and that the cases remain consolidated. No objections have been filed thereto. The Court has considered the submissions of the parties, and Judge Dickson’s Report and Recommendation dated June 14, 2012, and for substantially the same reasons stated therein,

IT IS on this 10th day of July, 2012

ORDERED that this Court adopts Judge Dickson's June 14, 2012 Report and Recommendation that the Defendant's motion to dismiss be denied without prejudice, that the Queen Action be stayed pending the outcome of the Local 863 Action, and that the cases remain consolidated. Defendant's motion to dismiss the Complaint filed in Brian Queen, et al. v. Grocery Haulers, Inc., Civil Action No. 11-6592 is thus denied.

s/ Claire C. Cecchi
HON. CLAIRE C. CECCHI
United States District Judge